



October 15, 2012 (DE #80) along with several exhibits in support of his request for relief, and he has not received an order yet.

Petitioner Clifton was charged for distribution of more than five grams of crack cocaine which yield a maximum sentence of 40 years. Clifton's base offense level for the amounts of cocaine that was attributed to his case was 1.5 kilograms of crack cocaine as stated in the presentence investigation report. (The court adopted the PSI for sentencing).

Clifton was enhanced four(4) levels for his role in the offense as a leader, and his total offense level was set at a level 42. Clifton total criminal history category was a II because he had three criminal history points, which yield a guideline sentencing range of 360 to life imprisonment.

Petitioner Clifton needs to know the specific reason that the court has denied him relief, so if there maybe a reason that he need to make an appeal for the court abusing its discretion, he may do so, displaying the facts, the district court may have improperly exercised its powers to reduce his sentence of 33 years.

Based on the alleged drug amounts that placed Petitioner at base offense level 38 1.5 kilograms of crack cocaine according to the U.S.S.G. crack cocaine Amendments, Clifton's new base offense level would have been 36 because he had less than 4.5 kilograms of crack cocaine base attributed to his original base offense level. Under (706) U.S.S.G. Amendment 750 which reduced 1.5 kilograms to a base offense level of 34 and 4.5 for defendant who held accountable for less than 8.4 kilograms of crack cocaine to a level 38. Now the U.S.S.G. request that a defendant with less than 25.2 kilograms be

subjected to a base offense level of 36. Petitioner Clifton would have a sentence range of 324 to 405 months even if his base offense level was moved or reduced just two levels under any of the guideline Amendments mentioned herein, so it is of the utmost importance that the court outline the facts why Petitioner Clifton has been denied relief because had all three of these Amendments 706, 750 and 782 applied to his case, Clifton would have been eligible for a sentence of 210 to 262 months, which he has more than satisfied the length according to the date of the commencement of the offense(s) charged against him. Petitioner motion to clarify the denial of the previous order, will help him make an assessment based on the facts of how he should proceed in the next step to obtain relief if such relief is available to him.

If the court made an additional factual findings that lead to more drug amounts than the Amendment(s) allows, then these facts should be considered as the SOR.

Respectfully Submitted,

151 Maurice Clifton #28332-077

**CERTIFICATE of SERVICE**

I hereby verify that on the 21<sup>ST</sup> day of December 2015, that I mailed first class a copy to the Clerk of Court and to:

Office of the U.S. Attorney  
900 Jefferson Avenue  
Oxford, MS 38655-3608



COLUMBIA, SC 290

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*911 Jackson*

28332-077  
Clerk Of The Court  
US District Court  
911 Jefferson AVE  
Oxford, MS 38655  
United States



RECEIVED

DEC 28 2015

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI

38655360711

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*"LEGAL MAIL"*